

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q92617

Michel MONNERAT, et al.

Appln. No.: 10/566,709

Group Art Unit: 3662

Confirmation No.: 9002

Examiner: Harry K. Liu

Filed: February 1, 2006

For: DETERMINING MOBILE TERMINAL POSITIONS USING ASSISTANCE DATA
TRANSMITTED ON REQUEST

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Election of Species Requirement, dated September 7, 2007. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted.

The undersigned is uncertain of a proper response to the election of species requirement as stated by the examiner. It is ordinarily the case that plural disclosed species are identified and it is applicant's responsibility to identify the claims readable on an elected species. Here, the examiner has not identified disclosed species but has identified claims, so it is not entirely clear what the various species are. As best the undersigned can determine, the examiner has identified claim 24 as a species, and has identified claim 39 as another species. The examiner is correct in that the subject matter of claim 1 could be practiced without the micro-inertia device of claim 24,

USSN 10/566,709
Response to Election of Species

which might then make claim 24 a species of the generic invention defined in claim 1. But claim 15 cannot be a different species from claim 24, since claim 24 is dependent on claim 15, and the examiner apparently considers claims 1 and 15 to not be directed to patentably distinct species.

Accordingly, applicant elects the species reflected in claim 24. The claims readable on that species include all of claims 1-38 and 40-49.

Respectfully submitted,

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